

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOHN E. BECK and CHERYL A. BECK,

Plaintiffs,

CV 03-984-JE

v.

ORDER

KAE HOWARD, d/b/a KAE HOWARD
PROPERTY MANAGEMENT,

Defendant.

HAGGERTY, Chief Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation in this action (Doc. #54), in which the Magistrate Judge recommended that plaintiffs' motions for an award of supplemental attorney fees should be granted in part and denied in part. Specifically, the Magistrate Judge recommended that plaintiff John Beck's Motion to Recover Supplemental Attorney Fees (Doc. #38) be granted as to the sum of \$3,500, and should be denied as to the balance of the amount requested. In addition, the Magistrate Judge recommended that plaintiff Cheryl Beck's Motion to Recover

Supplemental Attorney Fees (Doc. #39) be granted as to the sum of \$2,625, and should be denied as to the balance of the amount requested. No objections were filed.

The matter is now before the court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). A district court "may accept, reject, or modify, in whole or in part, the findings or recommendations" made by a magistrate judge. 28 U.S.C. § 636(b)(1). Within ten days of being served with a copy of the Findings and Recommendation, any party may file written objections and the court shall make a *de novo* determination of those portions of the Findings and Recommendation to which objections are made. *Id.* When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Thomas v. Arn*, 474 U.S. 140, 149-150 (1985); *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974). No clear error appears on the face of the record, and the court adopts Magistrate Judge Jelderks' Findings and Recommendation.

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CONCLUSION

The Magistrate's Findings and Recommendation (Doc. #54) is adopted in its entirety.

Plaintiff John Beck's Motion to Recover Supplemental Attorney Fees (Doc. #38) is granted to the extent that Mr. Beck is entitled to a judgment awarding attorney fees in the amount of \$3,500.

Plaintiff Cheryl Beck's Motion to Recover Supplemental Attorney Fees (Doc. #39) is granted to the extent that Ms. Beck is entitled to a judgment awarding attorney fees in the amount of \$2,625.

IT IS SO ORDERED.

Dated this 27 day of August, 2005.



MARGARET L. HAGGERTY
United States District Judge